

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

YOSHIMURA ET AL.

Atty. Ref.: 1035-603; Confirmation No. 3147

Appl. No. 10/550,275

TC/A.U. 2809

Filed: September 23, 2005

Examiner: Zimmerman, John P

For: INK SUPPLY DEVICE

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September 19, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

ELECTION

In response to the Office Action dated August 28, 2007, Applicants make election as follows:

- Group I (claims 1 to 12 drawn to an ink supply device and a tank holder for holding the ink tank)
- Species A (the embodiment of Figs. 1 and 2; corresponding to claims 1 – 9, 11, and 12)
- Species (1) (the ink supply device with ink tank that includes a first and a second opening section, corresponding to claims 16, 17, 24, 28, 29, 31, and 32)
- Species a (the ink supply device with the pressure control means that includes a pressure control chamber, corresponding to claim 2).

This election is made without traverse. However, since a restriction requirement is never proper unless the restricted species of claims is patentably distinct (i.e., inter alia, non-obvious under 35 USC §103) from the elected species of claims, the Examiner is requested to insure that such patentable distinctness is present before proceeding to make the requirement final.

It is respectfully requested that the non-elected claims be retained for use with a possible divisional application, and that consideration be given to claims to an additional species upon allowance of a generic claim.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,
NIXON & VANDERHYE P.C.

September 19, 2007

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